



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



U.S. Environmental Protection Agency
Air Docket, Clean Air Interstate Rule
Mail Code 6102T
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460
Attention: Docket #OAR 2003-0053

Re: Connecticut DEP Comments on Availability of Additional Information Supporting the Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone

Dear Docket Administrator:

The Connecticut Department of Environmental Protection (CT DEP) is commenting on the U.S. Environmental Protection Agency's (EPA's) notice of data availability for the Clean Air Interstate Rule (Interstate Transport Rule), entitled *Availability of Additional Information Supporting the Rule To Reduce Interstate Transport of Fine Particulate Matter and Ozone* (NODA) (69 Fed. Reg. 47828, August 6, 2004). The NODA consists of additional information supporting the Interstate Transport Rule.

For states and the public to conduct a thorough evaluation of the content and ramifications of this additional information and provide meaningful comments, EPA needs to provide all pertinent data and documentation and adequate time to review such data and documentation. The information referenced in the NODA consists of hundreds of pages of highly technical text and data. The twenty-one days allowed for review and comment is insufficient for a comprehensive analysis of the additional material referenced in the NODA. EPA should provide at least sixty days to review and comment on such extensive documentation.

In addition to the inadequate time allowed for analysis of NODA documents, EPA has not explained the context of the information contained in the NODA. Therefore, the public cannot quickly and easily determine what such information means in terms of changes to the Interstate Transport Rule and the subsequent implications of those changes. EPA should provide a transparent public process that fully explains the changes being made and the reasoning behind such changes.

As a result of EPA's intent to use a different model and updated base year emissions in the final Interstate Transport Rule than EPA used in the proposed Interstate Transport Rule, the states covered under the Interstate Transport Rule and the associated state NO_x and SO₂ budgets may change. However, EPA has not completed the modeling to support the possible changes as of yet. EPA staff has stated that it is not known at this time if the new modeling data will be released prior to the Interstate Transport Rule being finalized, and it is too soon to tell if there will be substantive changes to the final Interstate

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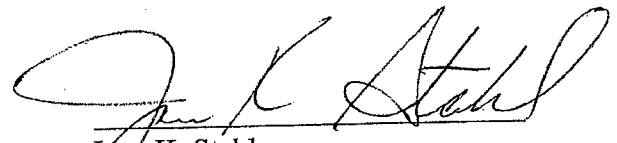
Transport Rule as a result of the new modeling. This is another example of unacceptable public process as such a practice most certainly does not provide time for adequate public review and comment. EPA should release the new modeling data prior to the release of the final Interstate Transport Rule, and should provide adequate time for the public to review and comment on the new data prior to finalization of the Interstate Transport Rule.

CT DEP supports the concerns raised by the Northeast States for Coordinated Air Use Management (NESCAUM) and Ozone Transport Commission (OTC), and urges EPA to seriously consider the comments submitted by NESCAUM and OTC on the NODA, as well as CT DEP's comments. If you or members of your staff have any questions regarding this letter, please do not hesitate to contact Anne Gobin, Chief, Bureau of Air Management at 860-424-3026.

Sincerely,

8/25/04

Date


Jane K. Stahl
Deputy Commissioner

JKS/WJ

cc: Robert W. Varney, Regional Administrator (EPA New England)
Jeffrey Holmstead, Assistant Administrator, US EPA Office of Air and Radiation